

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

A.M., through her Guardian ad Litem,
JOLEEN YOUNGERS,

Plaintiff,

vs.

No. CIV 13-0692 JB/WPL

NEW MEXICO DEPARTMENT OF HEALTH;
LOS LUNAS CENTER FOR PERSONS WITH
DEVELOPMENT DISABILITIES;
ROGER ADAMS, individually and in his capacity
as an agent for the New Mexico Department of Health;
BETH SCHAEFER, individually and in her capacity
as an agent for the New Mexico Department of Health;
DAN SANDOVAL, individually and in his capacity
as an agent for the New Mexico Department of Health;
JOSEPH MATEJU, individually and in his capacity
as an agent for the New Mexico Department of Health;
NEW MEXICO AGING AND LONG-TERM SERVICES
DEPARTMENT; and THE ADULT PROTECTIVE
SERVICES DIVISION OF NEW MEXICO AGING
AND LONG-TERM SERVICES DEPARTMENT,

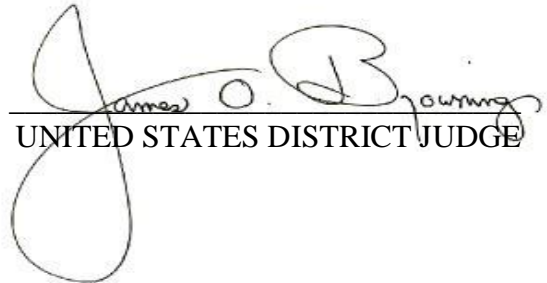
Defendants.

ORDER¹

THIS MATTER comes before the Court on the Individual DOH Defendants' Motion and Memorandum to Dismiss Plaintiff's Court Access Claims Under the First and Fourteenth Amendments on the Basis of Qualified Immunity, filed May 23, 2014 (Doc. 45)("Motion"). The Court held a hearing on October 23, 2014. The Court will grant the Motion.

¹This Order disposes of the Individual DOH Defendants' Motion and Memorandum to Dismiss Plaintiff's Court Access Claims Under the First and Fourteenth Amendments on the Basis of Qualified Immunity, filed May 23, 2014 (Doc. 45). The Court will, however, at a later date issue a memorandum opinion more fully detailing its rationale for this decision.

IT IS ORDERED that the Individual DOH Defendants' Motion and Memorandum to Dismiss Plaintiff's Court Access Claims Under the First and Fourteenth Amendments on the Basis of Qualified Immunity, filed May 23, 2014 (Doc. 45), is granted.



UNITED STATES DISTRICT JUDGE

Counsel:

John Ford Hall
Kelly K. Waterfall
Law Offices of Peter Cubra
Albuquerque, New Mexico

--and--

Nancy L. Simmons
Law Offices of Nancy L. Simmons, P.C.
Albuquerque, New Mexico

Attorneys for the Plaintiff

Stephen S. Hamilton
Alexia Constanteras
Montgomery & Andrews, P.A.
Albuquerque, New Mexico

Attorneys for Defendants